FLOM, LLP One Rodney Square PO Box 636 Richmond, Virginia 23219 Wilmington, Delaware 19899-0636 (804) 775-1000 (302) 651-3000

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Ian S. Fredericks, Esq. Douglas M. Foley (VSB No. 34364)
SKADDEN, ARPS, SLATE, MEAGHER & MCGUIREWOODS LLP One James Center 901 E. Cary Street

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606-7120 (312) 407-0700

Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re: Chapter 11

CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)

<u>et</u> <u>al</u>.,

Debtors. : Jointly Administered

## ORDER ON DEBTORS' FIFTY-SEVENTH OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN ALLEGED ADMINISTRATIVE EXPENSES)

Upon the objection (the "Objection") of the Debtors for entry of an order, under Bankruptcy Code sections 105, 502 and 503, Bankruptcy Rule 3007, and Local Rule 3007-1, seeking, among other things, that the Claims

<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

specifically identified on Exhibit B attached to the Objection be disallowed; and it appearing that notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that certain Claimants filed a response to the Objection; and it appearing that the relief requested in the Objection is in the best interest of the Debtors, their estates and creditors and other parties in interest; and after due deliberation thereon; and good and sufficient cause appearing therefore, it is hereby

#### ORDERED ADJUDGED AND DECREED that:

- 1. The Objection is SUSTAINED.
- 2. The Claims identified on Exhibit A as attached hereto and incorporated herein are forever disallowed in their entirety for all purposes in these bankruptcy cases.
- 3. The status hearing on the Objection to the claims identified on <a href="Exhibit B">Exhibit B</a> as attached hereto and incorporated herein is hereby adjourned to January 14, 2010, at 2:00 p.m. (Eastern) or until such later time as agreed by the parties.

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4. The Debtors' rights to object to any claim, including (without limitation) the Claims, on any grounds that applicable law permits are not waived and are expressly

reserved.

5. The Debtors shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before five (5) business days from the entry of this

Order.

6. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

| Dec 14 2009 | , | 2009 |
|-------------|---|------|
|             |   |      |

/s/ Kevin Huennekens

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

Entered on docket: Dec 14 2009

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606-1720 (312) 407-0700

- and -

/s/ Douglas M. Foley

Dion W. Hayes (VSB No. 34304)
Douglas M. Foley (VSB No. 34364)
MCGUIREWOODS LLP
One James Center
901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000

Counsel to the Debtors and Debtors in Possession

## CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

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| CREDITOR'S NAME AND ADDRESS  | CLAIM<br>NUMBER | ASSE<br>CLAIM A  | RTED<br>MOUNT *          | DATE<br>FILED | DOCKETED<br>DEBTOR                                    |
|--|-----------------|--|--------------------------|---------------|---|
| EVA CZAJKOWSKI PHD<br>PO BOX 1400<br>NEW BRITAIN, CT 06050-1400  | 14431           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$324.35                 | 07/01/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653)               |
|  |                 | Total:   | \$324.35                 |               |   |
| GANNETT CENTER FOR CREDIT & COLLECTIONS TAMMY DYCUS CCC COLLECTIONS SUPERVISOR 7950 JONES BRANCH DR MCLEAN, VA 22107   | 13353           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$6,249.52<br>\$6,249.52 | 06/12/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653)               |
| JACK HERNANDEZ AND THE ALLEGED CLASS OF CLAIMANTS SIMILARLY SITUATED ATTN MATTHEW RIGHETTI RIGHETTI LAW FIRM PC 456 MONTGOMERY ST STE 1400 SAN FRANCISCO, CA 94104 | 13952           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | UNL                      | 06/29/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653)               |
| JACK HERNANDEZ AND THE ALLEGED CLASS OF CLAIMANTS SIMILARLY SITUATED ATTN MATTHEW RIGHETTI RIGHETTI LAW FIRM PC 456 MONTGOMERY ST STE 1400 SAN FRANCISCO, CA 94104 | 13951           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | UNL                      | 06/29/2009    | CIRCUIT CITY STORES<br>WEST COAST, INC.<br>(08-35654) |
| JONATHAN CARD AND THE ALLEGED CLASS OF CLAIMANTS SIMILARLY SITUATED ATTN MATTHEW RIGHETTI RIGHETTI LAW FIRM PC 456 MONTGOMERY ST STE 1400 SAN FRANCISCO, CA 94104  | 14178           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | UNL                      | 07/02/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653)               |

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| CREDITOR'S NAME AND ADDRESS   | CLAIM<br>NUMBER | ASSERTED CLAIM AMOUNT *   |                                  |            | DATE<br>FILED   | DOCKETED<br>DEBTOR |
|---|-----------------|---|----------------------------------|------------|---|--------------------|
| LANSING STATE JOURNAL<br>TAMMY DYCUS<br>CCC COLLECTIONS SUPERVISOR<br>7950 JONES BRANCH DR<br>MCLEAN, VA 22107  | 13332           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | \$2,318.46                       | 06/12/2009 | CIRCUIT CITY STORES,<br>INC. (08-35653)               |                    |
|   |                 | Total:  | \$2,318.46                       |            |   |                    |
| LEONE, MARK<br>1821 ENGLISH OAK DR<br>OFALLON, MO 63367   | 3888            | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$525.00<br>\$240.00<br>\$765.00 | 01/13/2009 | CIRCUIT CITY STORES,<br>INC. (08-35653)               |                    |
| PUNCH INTEGRATED COMMUNICATIONS INC 605 BOXWOOD DR CAMBRIDGE, ON N3E 1A5 CANADA   | 13491           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | UNL                              | 06/24/2009 | CIRCUIT CITY STORES,<br>INC. (08-35653)               |                    |
| ROBERT GENTRY AND THE ALLEGED CLASS OF CLAIMANTS SIMILARLY SITUATED ATTN MATTHEW RIGHETTI RIGHETTI LAW FIRM PC 456 MONTGOMERY ST STE 1400 SAN FRANCISCO, CA 94104 | 13742           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | UNL                              | 06/29/2009 | CIRCUIT CITY STORES,<br>INC. (08-35653)               |                    |
| ROBERT GENTRY AND THEALLEGED CLASS OF CLAIMANTS SIMILARLY SITUATED ATTN MATT RIGHETTI 456 MONTGOMERY ST STE 1400 SAN FRANCISCO, CA 94104                          | 13741           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | UNL                              | 06/29/2009 | CIRCUIT CITY STORES<br>WEST COAST, INC.<br>(08-35654) |                    |

<sup>\* &</sup>quot;UNL" denotes an unliquidated claim.

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### **EXHIBIT A**

| CREDITOR'S NAME AND ADDRESS  | CLAIM<br>NUMBER | ASSERTED CLAIM AMOUNT *  |                      | DATE<br>FILED | DOCKETED<br>DEBTOR                      |
|--|-----------------|--|----------------------|---------------|---|
| TERRACON CONSULTANTS INC<br>18001 W 106TH ST STE 300<br>OLATHE, KS 66061 | 1492            | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$675.00<br>\$675.00 | 12/16/2008    | CIRCUIT CITY STORES,<br>INC. (08-35653) |

Total: 11 \$10,332.33

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| CREDITOR'S NAME AND ADDRESS   | CLAIM<br>NUMBER | ASSER<br>CLAIM AN   |                            | DATE<br>FILED | DOCKETED<br>DEBTOR                      |
|---|-----------------|---|----------------------------|---------------|---|
| BARTHOLOMEW COUNTY<br>TREASURER<br>PO BOX 1986<br>COLUMBUS, IN 47202-1986   | 14578           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$9,588.89<br>\$9,588.89   | 07/13/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| CALCASIEU PARISH SHERIFFS OFFICE TONY MANCUSO SHERIFF TAX COLLECTOR DIVISION PO BOX 1787 1011 LAKESHORE DR STE 100 LAKE CHARLES, LA 70602     | 13252           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | \$35,981.57<br>\$35,981.57 | 06/01/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| CHARLES STRICKLAND<br>654 AIRPORT RD<br>CANON, GA 30520   | 13815           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$709.99<br>\$709.99       | 06/29/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| CITY OF HYATTSVILLE RICHARD T COLARESI ESQ KARPINSKI COLARESI & KARP PA ATTORNEYS AT LAW 120 E BALTIMORE ST STE 1850 BALTIMORE, MD 21202-1605 | 13498           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | UNL                        | 06/25/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| GALAN, GUILLERMO<br>200 S VALENCIA APT 4<br>LA HABRA, CA 90631-5573   | 13872           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | UNL                        | 06/29/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |

<sup>&</sup>quot;UNL" denotes an unliquidated claim.

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| CREDITOR'S NAME AND<br>ADDRESS   | CLAIM<br>NUMBER | ASSERTED CLAIM AMOUNT *   |             | DATE<br>FILED | DOCKETED<br>DEBTOR                      |
|--|-----------------|---|-------------|---------------|---|
| HINDS COUNTY MISSISSIPPI ATTN CRYSTAL WISE MARTIN BOARD ATTY HINDS COUNTY BOARD OF SUPERVISORS 316 S PRESIDENT ST PO BOX 686 | 14180           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:                | \$52,693.87 | 06/30/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| JACKSON, MI 39205-0686   |                 | Total:  | \$52,693.87 |               |   |
| JERRY L KNIGHTEN 226 BARRINGTON DR APT 226 BOSSIER CITY, LA 71112  | 13660           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:                | \$121.90    | 06/16/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
|  |                 | Total:  | \$121.90    |               |   |
| KATHRYN L STONE<br>1620 E CENTRAL ST<br>SPRINGFIELD, MO 65802  | 13272           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:                | UNL         | 06/04/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
|  |                 | Total:  | UNL         |               |   |
| LINDA L CONWAY<br>3556 SMITH RD<br>FURLONG, PA 18925   | 13278           | Secured:<br>Priority:<br>Administrative<br>503(b)(9):<br>Unsecured:<br>Reclamation: | \$149.76    | 06/08/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
|  |                 | Total:  | \$149.76    |               |   |
| PYRAMID CONTROL SYSTEMS INC<br>8075 READING RD STE 201<br>CINCINNATI, OH 45237   | 13298           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:                | \$1,970.00  | 06/09/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
|  |                 | Total:  | \$1,970.00  |               |   |

 <sup>&</sup>quot;UNL" denotes an unliquidated claim.

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#### **EXHIBIT A**

| CREDITOR'S NAME AND ADDRESS  | CLAIM<br>NUMBER | ASSERTED CLAIM AMOUNT *  |                          | DATE<br>FILED | DOCKETED<br>DEBTOR                      |
|--|-----------------|--|--------------------------|---------------|---|
| ROBERT MATTHEW ROBINSON<br>5780 TIMBERLANE TER<br>SANDY SPRINGS, GA 30328-5228 | 13388           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$428.00<br>\$428.00     | 06/15/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| SUNPREET SINGH<br>5385 BRAE BURN PL<br>BUENA PARK, CA 90621                    | 14043           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$107.74<br>\$107.74     | 06/30/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| VILLAGE OF MT PLEASANT<br>TREASURER<br>6126 DURAND AVE<br>RANCINE, WI 53406    | 13596           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$5,553.90<br>\$5,553.90 | 06/22/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |

Total: 13 \$107,305.62

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## **EXHIBIT B**

| CREDITOR'S NAME AND ADDRESS                               | CLAIM<br>NUMBER | ASSERTED CLAIM AMOUNT *   |  | DATE<br>FILED | DOCKETED<br>DEBTOR                      |
|---|-----------------|---|--|---------------|---|
| SNELL ACOUSTICS 300 JUBILEE DR PEABODY, MA 01960          | 9227            | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$2,166.39<br>\$6,067.17<br>\$8,233.56 | 01/30/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |
| VERONICA SIMMONS<br>2101 SAN DIEGO DR<br>CORONA, CA 92882 | 14098           | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:        | \$3,809.39<br>\$3,809.39               | 06/30/2009    | CIRCUIT CITY STORES,<br>INC. (08-35653) |

Total: 2 \$12,042.95

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District/off: 0422-7 User: frenchs Case: 08-35653

Form ID: pdforder

Page 1 of 1 Total Noticed: 1 Date Rcvd: Dec 14, 2009

The following entities were noticed by first class mail on Dec 16, 2009.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq.,

Wilmington, DE 19899-0636 PO Box 636,

The following entities were noticed by electronic transmission.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked  $^{\prime +\prime}$  were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 16, 2009

Joseph Speetjins